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10 U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2006-FRE1
 11 08-78519

12 UNITED STATES BANKRUPTCY COURT
 13 DISTRICT OF NEVADA

<p>14 In Re:</p> <p>15</p> <p>16 Mickey D. Phillips, II and Gail A. Phillips</p> <p>17</p> <p>18</p> <p>19</p>	<p>BK Case No.: 08-23547-lbr</p> <p>Chapter 13</p> <p>NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY</p> <p>HEARING DATE: 5/12/2010 HEARING TIME: 10:30 am</p> <p>ESTIMATED TIME: 5 Minutes</p>
<p>20 Debtors.</p>	

21 TO THE HONORABLE LINDA B. RIEGLE, THE DEBTOR, DEBTORS' ATTORNEY OF
 22 RECORD AND THE CHAPTER 13 TRUSTEE, AND OTHER INTERESTED PARTIES:

23 PLEASE TAKE NOTICE that on the 12th day of May, 2010 at 10:30 am before United States
 24 Bankruptcy Judge, the Honorable Linda B. Rieggle, in Courtroom 1, located at the Foley Federal
 25 Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada. U.S. Bank National Association, as
 26 Trustee for MASTR Asset Backed Securities Trust 2006-FRE1, it's assignees and/or successors in

1 interest and assigns ("Movant"), will move this Court, pursuant to 11 U.S.C. §362(d), for an order
2 terminating the automatic stay, to allow Movant to proceed with its non-bankruptcy remedies,
3 including, but not limited to foreclosure upon obtaining possession of and selling the subject real
4 property located at 4443 El Como Way, Las Vegas, NV 89121 (the "subject real property").

5 PLEASE TAKE FURTHER NOTICE that Local Bankruptcy Rule 9014(d)(1) requires that any
6 opposition to the motion must be filed and service completed upon the Movant not more that fourteen
7 (14) days after service of the motion. The opposition must set forth all relevant facts and must contain a
8 legal memorandum. An opposition may be supported by affidavits or declarations that conform to the
9 provisions of this rule.
10

11 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court.
12 You *must* also serve your written response on the person who sent you this notice.

13 If you do not file a written response with the court, or if you do not serve your written response on the
14 person who sent you this notice, then:

- 15 ☐ The court may *refuse to allow you to speak* at the scheduled hearing; and
16 ☐ The court may *rule against you* without formally calling the matter at the hearing

17
18 DATED this 9th day of April, 2010.

19 **WILDE & ASSOCIATES**

20 By: /s/Gregory L. Wilde, Esq
21 GREGORY L. WILDE, ESQ.
22 Attorney for Secured Creditor
23 212 South Jones Boulevard
24 Las Vegas, Nevada 89107
25
26

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15 U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2006-FRE1
 16 08-78519

17 **UNITED STATES BANKRUPTCY COURT**
 18 **DISTRICT OF NEVADA**

13 In Re:	BK Case No.: 08-23547-lbr
14 Mickey D. Phillips, II and Gail A. Phillips	Date: 5/12/2010 Time: 10:30 am
15	Chapter 13
16 Debtors.	

17 **CERTIFICATE OF SERVICE OF NOTICE AND**
 18 **MOTION FOR RELIEF FROM AUTOMATIC STAY**

19 1. On 4/9/2010 I served the following documents(s):

20 NOTICE AND MOTION FOR RELIEF FROM AUTOMATIC STAY

21 2. I served the above-named document(s) by the following means to the persons as listed below:

22 ...
 23
 24
 25
 26

1 **X a. ECF System**

2 H. Stan Johnson
3 sjohnson@cjdnv.com
4 Attorney for Debtors

5 Kathleen A. Leavitt
6 courtsecf3@las13.com
7 Trustee

8 **X b. United States mail, postage fully prepaid:**

9 H. Stan Johnson
10 6293 Dean Martin Drive
11 Las Vegas, NV 89118
12 Attorney for Debtors

13 Mickey D. Phillips, II and Gail A. Phillips
14 4443 El Como Way
15 Las Vegas, NV 89121
16 Debtors

17 ☐ **c. Personal Service**

18 I personally delivered the document(s) to the persons at these addresses:

19 ☐ 1. For a party represented by an attorney, delivery was made by handing the
20 document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by
21 leaving the document(s) in a conspicuous place in the office.

22 ☐ 2. For a party, delivery was made by handing the document(s) to the party or by
23 leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable
24 age and discretion residing there.

25 ☐ **d. By direct mail**

26 Based upon the written assignment of the parties to accept service by email or a court order. I
caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive,
within a reasonable time after the transmission, any electronic message or other indication that the
transmission was unsuccessful.

☐ **e. By fax transmission**

1 Based upon the written assignment of the parties to accept service by fax transmission or a court
2 order. I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by
3 the fax machine that I used. A copy of the record of the fax transmission is attached.

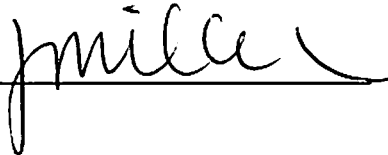
4 ☐ **f. By messenger**

5 I served the document(s) by placing them in an envelope or package addressed to the persons at
6 the addresses listed below and providing them to a messenger for service.

7 **I declare under penalty of perjury that the foregoing is true and correct.**

8 DATED this 9th day of April, 2010.

9
10 By: _____

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